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June 29, 2007

VIA HAND DELIVERY

Marlene H. Dortch
Secretary, Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

FILED/ACCEPTED

JUN 29 2007

Federal Communications Commission
Office of the Secretary

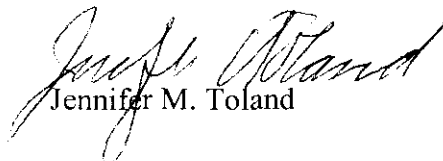
Re: *Petition of Classic Communications, Inc. for Waiver from EAS Requirements*

Dear Secretary Dortch:

Enclosed for filing is an original, one Stamp & Return copy, and four copies of the Petition for Waiver for Classic Communications, Inc. d/b/a Suddenlink Communications from the Commission's Emergency Alert System Requirements ("Petition") for forty-two of its cable systems. Also, in conjunction with the Petition is an original and four copies of a request that the Petition be withheld from public inspection pursuant to 47 C.F.R. § 0.459.

If you have any questions regarding this filing, please contact the undersigned at (202) 973-4200.

Sincerely,


Jennifer M. Toland

Enclosures

cc: Derek Poarch, Chief, Public Safety and Homeland Security Bureau

No. of Copies rec'd
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FILED/ACCEPTED

JUN 29 2007

Federal Communications Commission
Office of the Secretary

In the Matter of)	
)	
Petition for Waiver of the Commission's)	FO Docket No. 91-301
Emergency Alert Requirements for)	FO Docket No. 91-171
Cable Television Systems)	

To: Marlene H. Dortch, Secretary
Office of the Secretary

**REQUEST THAT MATERIALS SUBMITTED TO THE COMMISSION BE
WITHHELD FROM PUBLIC INSPECTION**

Pursuant to 47 C.F.R. § 0.459, Classic Communications Inc. ("Classic"), now doing business as Suddenlink Communications¹, respectfully requests that the information being submitted in its latest Petition for Waiver from the Commission's Emergency Alert System ("EAS") Requirements for Cable Television Systems, not be made routinely available for public inspection. Since financial information and other proprietary information about Classic is interspersed throughout, it is not feasible to separate the confidential information from the non-confidential information.

The EAS petition contains highly sensitive business and financial information about the operations of Classic. This includes proprietary subscriber information and general financial background information. Classic has not previously disclosed this information to the public or to third parties who are not fiduciaries or held to confidentiality arrangements. Classic has taken

¹ Prior to July 2006, Suddenlink Communications was doing business as Cebridge Connections.

extensive measures to avoid disclosure of the confidential information to third parties, both through employee confidentiality agreements and by limiting access only to key personnel.

If disclosed, the information would likely cause substantial competitive injury to Classic. As explained in the Petition for Waiver from the EAS requirements, Classic faces significant competition from DBS providers. Those DBS providers could use the information to their advantage to target Classic's customers.²

The FCC's public disclosure regulations implement, and incorporate, Exemption 4 of the Freedom of Information Act, 5 U.S.C. §552(b)(4), and the Trade Secrets Act, 18 U.S.C. § 1905. *See* 47 C.F.R. §0.457(c)(5) and (d). Under Exemption 4, information is exempt from public disclosure if it is (1) commercial or financial in nature, (2) obtained from a person, and (3) privileged or confidential in nature. 5 U.S.C. §552(b)(4). The information covered by this request is exempt from public disclosure under Exemption 4 of the FOIA and the FCC's regulations because it constitutes commercial and financial information, obtained from a person, which is confidential in nature.³

² For example, Echostar previously directed a campaign to target the customers of a cable operator who was experiencing financial difficulty, warning the subscribers that the cable operator was about to go out of business and advising them that they would lose video programming unless they signed with Echostar's Dish Network. Monica Hogan, *Rural Weakness? DBS Merger Roils Small Ops' World*, Multichannel News (Jan. 21, 2002) at http://www.findarticles.com/cf_0/m3535/3_23/82626449/print.jhtml.

³ Under Exemption 4 of the FOIA, the terms "commercial" and "financial" are to be given their "ordinary meaning", and thus include information in which a submitter has a "commercial interest." *Public Citizen Research Group v. FDA*, 704 F.2d 1280, 1290 (D.C. Cir. 1983); *accord, Washington Research Project, Inc. v. HEW*, 504 F.2d 238, 244 n.6 (D.C. Cir. 1974), *cert. denied*, 421 U.S. 963 (1975). "Commercial interest" has been interpreted broadly to include anything "pertaining or relating to or dealing with commerce." *American Airlines, Inc. v. National Mediation Bd.*, 588 F.2d 863, 870 (2d Cir. 1978). The term "person", for FOIA purposes, includes entities such as Classic. *See, e.g., Critical Mass Energy Project v. Nuclear Regulatory Comm'n*, 830 F.2d 871 n.15 (D.C. Cir. 1987) ("For FOIA purposes a person may be a partnership, corporation, association, or public or private organization other than an agency"). Where submission of information is mandatory,

Similarly, Section 1905 of Title 18 of the United States Code makes it unlawful for federal government agencies or employees to disclose information relating to "the trade secrets, processes, operations, or to the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association ..." Information that is exempt from release under Exemption 4 of the FOIA is *prohibited* from being disclosed, under 18 U.S.C. § 1905, unless disclosure is "authorized by law" by another statute other than the FOIA.⁴ Because no other statute authorizes the release of the information at issue here, disclosure of the Documents is prohibited by the criminal provisions of 18 U.S.C. §1905.⁵

The foregoing demonstrates, by a preponderance of the evidence (*see* 47 C.F.R. § 0.459(d)(2)), that the information at issue is confidential within the meaning of Exemption 4 of the FOIA and the rules of the Federal Communications Commission, and that disclosure is prohibited by 18 U.S.C. §1905. Classic therefore requests that the submitted information be deemed confidential, that the FCC prohibit their public disclosure or inspection, and that Classic be informed of the FCC's determination on this issue.

This petition presents only a preliminary explanation of the bases for this request for confidential treatment. It would be unduly burdensome at this time to provide a more detailed and particularized justification on a page-by-page basis, when it is not presently known whether

information is confidential or privileged under Exemption 4 if, among other things, disclosure is likely to cause substantial harm to the competitive person from whom the information was obtained. *Judicial Watch, Inc. v. Export-Import Bank*, 108 F. Supp. 2d 19, 28-29 (D.D.C. 2000) (citing *Critical Mass*, 975 F.2d at 878). As explained above, disclosure is likely to cause competitive harm.

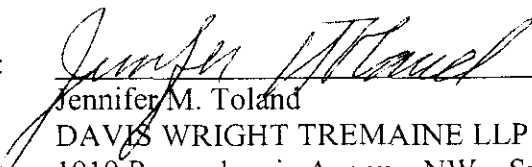
⁴ *See Chrysler Corp. v. Brown*, 441 U.S. 281 (1979) (Exemption 4 and 18 U.S.C. § 1905 are "coextensive", and §1905 prohibits the disclosure of confidential business information unless release is authorized by a federal statute other than the FOIA); *see also* 47 C.F.R. § 0.457(c)(5) and (d).

public disclosure of the information will be sought. Accordingly, we request that, in the event a request for disclosure of any of these documents is received by the FCC, Classic be provided with notice of, and an opportunity to object to, any such request prior to release of the Documents. *See* 47 C.F.R. § 0.459(d)(1). Additionally, Classic requests that the information remain confidential and upon the Commission's determination of the EAS petition, it be returned to Classic. If the Commission has any questions regarding this petition, please contact the undersigned at the address below.

Respectfully submitted,

Classic Communications, Inc. d/b/a
SUDDENLINK COMMUNICATIONS

By:


Jennifer M. Toland
DAVIS WRIGHT TREMAINE LLP
1919 Pennsylvania Avenue, NW – Suite 200
Washington, DC 20006
202.973.4200

June 29, 2007

⁵ *See CNA Fin. Corp. v. Donovan*, 830 F.2d 1132, 1151 (D.C. Cir. 1987).

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of:)	
)	FO Docket No. 91-301
Petition for Waiver of the Commission's)	FO Docket No. 91-171
Emergency Alert Requirements for)	
Cable Television Systems)	

To: Marlene H. Dortch, Secretary
Office of the Secretary

**PETITION FOR WAIVER FROM
EMERGENCY ALERT SYSTEM REQUIREMENTS**

I. Introduction

This petition is submitted on behalf of Classic Communications, Inc. ("Classic") d/b/a Suddenlink Communications ("Suddenlink")¹ to request temporary waivers for 42 of its cable systems from compliance with the Emergency Alert System ("EAS") requirements in Section 11.11(a) of the Commission's rules. Classic is seeking waivers of at least 12 months, until June 30, 2008, for 37 of these 42 cable systems in order to allow Classic sufficient time to develop a plan to bring these systems into compliance, or to sell or shut them down, if circumstances require. (See list of communities requesting 12-month waivers in **Attachment A**.) Classic seeks 3 month waivers, until September 30, 2007, for the remaining 5 systems, which are currently in the process of either being sold or being connected with cable headends that are already EAS compliant. (See **Attachment B**.) Although Classic has taken significant steps toward achieving EAS compliance for many of its small systems, bringing these 42 systems into compliance with the Commission's EAS requirements would cause significant financial hardship to Classic.

¹ Prior to July 2006, Suddenlink was doing business as Cebridge Connections ("Cebridge").

On February 27, 2006, Classic filed with the Commission a Petition for Waiver from EAS requirements for 302 of its systems (“February 2006 Petition”). In a supplemental filing submitted to the Commission in April 2006, Classic reduced the number of systems for which it requested waivers to 58. On July 3, 2006, the Commission issued a Public Notice² granting a one year waiver, until June 30, 2007, to all 58 Classic systems. (*See Attachment C*).

In the sixteen months since Classic filed its February 2006 Petition, Classic has continued to diligently work toward bringing all of its cable headends into compliance with the Commission’s EAS requirements. During this timeframe, Classic has achieved EAS compliance for its headends located in Atkins, AR; Krum, TX; Lowry Crossing, TX; and Lucas, TX. Classic is also currently implementing plans to interconnect its systems in Dover, AR and London, AR with systems that are already EAS compliant. Moreover, Classic has either sold or shut down 15 systems that it determined were not feasible to bring into EAS compliance, and Classic is in the process of selling 3 other systems for the same reason.

² *EAS Waiver Extensions Granted to Very Small Cable Systems*, Public Notice, DA-06-1373, 2006 FCC LEXIS 3671 (released July 3, 2006) (hereafter “Public Notice”).

II. Classic's Systems Meet the Criteria for EAS Waivers³

A. *Classic Will Suffer Financial Hardship if Required to Immediately Comply with the Requirements in Section 11.11(a)*

In its Public Notice, the Bureau noted that, although EAS waivers should be limited to the extent possible, immediate imposition of EAS requirements on some of the smaller cable systems could “cause significant economic hardship.”⁴ Classic has taken concrete steps in bringing its systems into full EAS compliance, but bringing these small systems into immediate compliance simply is not economically feasible. The financial position of Classic's smaller systems is unimproved since Classic filed its February 2006 Petitions for Waiver. The financial information submitted as **Attachment D** supports the necessity of the waivers requested in this Petition.⁵

³ See *Amendment of Part 7 of the Commission's Rules Regarding the Emergency Broadcast System*, Second Report and Order, 12 FCC Rcd 15503 (1997). See also *Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System*, Report and Order, EB Docket No. 0166, RM-9156, RM-9215; ¶ 73 (rel. Feb. 26, 2002) (underscoring that the Commission “will continue to grant waivers of the EAS rules to small cable systems on a case-by-case basis upon a showing of financial hardship”). In the 2002 Report and Order, the Commission reiterated the information that must be contained in the waiver request: “(1) justification for the waiver, with reference to the particular rule sections for which a waiver is sought; (2) information about the financial status of the requesting entity, such as a balance sheet and income statement for the two previous years (audited, if possible); (3) the number of other entities that serve the requesting entity's coverage area and that have or are expected to install EAS equipment; and (4) the likelihood (such as proximity or frequency) of hazardous risks to the requesting entity's audience.” *Id.*

⁴ Public Notice at 2.

⁵ Classic does not maintain system-level financial statements for each cable system, however, the systems seeking waivers are among its worst performing systems financially. The attached financials contain data from Cebridge Connections, Inc. for the years ending December 31, 2003 and December 31, 2004. As explained above, Classic was doing business as Cebridge Connections until July 2006, when Cebridge Connections changed its operating name to Suddenlink. The financial situation of the Classic systems that are the subject of this Petition has not improved since the financial data in Attachment D was compiled. Classic will provide 2005-2006 financial data for these systems when such data becomes available.

The requirement of full EAS compliance by July 1, 2007, when Classic's existing waivers are due to expire, would result in serious financial hardship to Classic. Classic estimates that the cost of an EAS system for each cable system headend would be approximately \$8,000.00 per headend, for a total of more than \$336,000.00 in order to cover all 42 headends. This estimate is consistent with the FCC's cost estimates of \$6,000 to \$10,000 per headend, as outlined in the FCC's 1997 Report and Order. *Amendment of Part 73, Subpart G, of the Commission's Rules Regarding the Emergency Broadcast System*, Second Report and Order, 12 FCC Rcd. 15503, ¶ 23 (rel. Sep. 29, 1997). However, contrary to what the FCC believed at the time of the Second Report and Order, the anticipated equipment cost reductions that would render compliance for small cable systems less burdensome has not materialized (even with the availability of decoder-only units). *Id.* at ¶ 25.

The prices for equipment and installation impose significant per-subscriber costs on Classic's smaller systems, which are already struggling with ever increasing programming costs. To pay for the equipment, Classic would need to consider rate increases to its subscribers. The additional costs and the rate increases to cover such costs would only serve to further erode Classic's existing subscriber base in an increasingly competitive industry hit hard by vigorous competition from satellite providers.

Classic simply is not in a position to raise rates further than is already necessary, as nearly every Classic system included in this Petition continues to lose subscribers at a steady rate. *See* Attachments A and B (reflecting subscriber losses since 2005). Between 2005 and 2007, Classic's Hector, AR system lost 50% of its subscribers—dropping from 64 subscribers to a meager 32. Other systems have not fared much better, and report losses of 34.2% (Big Lake, TX), 32.9% (Seymour, TX) and 26.9% (Sonora, TX).

All of the systems that are the subject of this Petition serve rural areas and are among Classic's smallest systems. Prospects for new subscribers in these communities are not promising. If Classic does not receive waivers for these systems, it will likely have no option but to sell or shut them down, as Classic has already done with several of its other systems since 2006.

B. Other Entities in the Area Provide Emergency Alert Information

There are various entities in each of the communities that inform customers of national, state, and local emergencies. Radio broadcast stations, both on the FM and AM band and TV broadcast stations serving each of the local communities are required to transmit national EAS messages and would also likely provide coverage of state and local emergencies.⁶ Various other entities voluntarily participate in the national level EAS, including major television and cable networks.⁷ For weather-related emergencies (the primary risk facing these communities), many of the communities have sirens in place to warn residents of impending danger.

In the event of a national emergency, Classic's basic tier subscribers would have access to EAS alerts through local broadcast stations (the majority of what is offered on the basic service tier) and the national broadcast programming of ABC, CBS, FOX, NBC and PBS.⁸ For subscribers who also receive expanded basic or other tiers of service, a substantial number of the programming services would transmit national emergency alerts or otherwise provide information about national, state and local emergencies. Those sources include the cable programming networks that voluntarily participate in EAS and who transmit national EAS

⁶ 47 C.F.R. § 11.11(a).

⁷ See 47 C.F.R. § 11.43 (2001) (identifying each of the industry entities voluntarily participating in the national level EAS).

⁸ See 47 C.F.R. § 11.43 (2001).

messages, such as The Weather Channel, ESPN, VH-1, MTV, HBO, Disney Channel, Nickelodeon, Showtime and others.⁹

C. Emergency Risks in Each of the Communities are Localized Risks

The Classic systems that are the subject of this waiver request are unlikely targets for a terrorist attack or other national emergency. The risks faced by these remote communities served by Classic's systems are predominantly localized weather-related risks. As noted above, in many of the communities where these systems are located, local public safety departments have installed warning sirens, primarily for tornado alerts.


⁹ *Id.*

III. Conclusion

Classic continues to face enormous financial strain in bringing its smallest cable systems into compliance with the Commission's EAS requirements. The granting of new one year waivers for 37 of Classic's systems would enable Classic to ascertain the most effective and cost efficient manner to bring its remaining systems into EAS compliance, or in the alternative, to shut down or sell these systems. Classic also hopes that the three-month waivers requested for 5 of its systems will enable Classic to finalize the interconnection of these systems with headends that are already EAS compliant, or to complete the sale of those systems that Classic has determined are not economically feasible to interconnect.

Respectfully submitted,

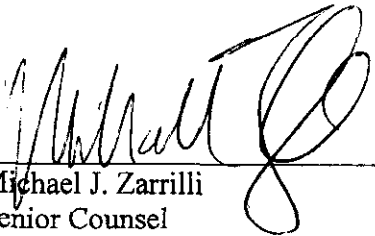
Classic Communications, Inc. d/b/a
SUDDENLINK COMMUNICATIONS

By: 
Jennifer M. Toland
DAVIS WRIGHT TREMAINE LLP
1919 Pennsylvania Avenue, NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

June 29, 2007

CERTIFICATION

I, Michael J. Zarrilli, hereby certify that the statements made in the foregoing Petition for Waiver are made in good faith and are true and correct to the best of my knowledge, information and belief.



Michael J. Zarrilli
Senior Counsel
Suddenlink Communications

June 28, 2007

Attachment A

(Classic Systems Seeking 12-Month Waivers)

Attachment A

Classic Systems Seeking 12-Month Waivers

System	Number of Subscribers December 2005	Number of Subscribers June 2007
Arkansas		
Charleston, AR	479	449
Coal Hill, AR	213	152
DeWitt, AR	652	583
Hazen, AR	590	607
Hector, AR	64	32
Hughes, AR	507	454
Mt. Ida, AR	844	787
Louisiana		
Boyce, LA	601	593
St. Joseph, LA	554	491
Missouri		
Fayette, MO	304	243
Glasgow, MO	177	135
Oklahoma		
Fairview, OK	688	614
Heavener, OK	437	367
Spiro, OK	760	752
Texas		
Albany, TX	611	516
Anson, TX	510	437
Big Lake, TX	793	522
Caldwell, TX	874	772
Canadian, TX	663	560
Clarendon, TX	406	351
Crane, TX	838	642
Electra, TX	435	385
Grapeland, TX	475	385
Hamlin, TX	533	462
Hawkins, TX	674	540
Henrietta, TX	596	485
Junction, TX	639	490
Lost Pines, TX	620	565
Nocona, TX	755	621
Paducah, TX	401	351
Post, TX	770	635
Quanah, TX	688	571
Rotan, TX	403	345
San Saba, TX	518	443
Scymour, TX	790	530
Shamrock, TX	662	562
Sonora, TX	855	625

Attachment B

(Classic Systems Seeking 3-Month Waivers)

Attachment B

Classic Systems Seeking 3-Month Waivers

System	Number of Subscribers December 2005	Number of Subscribers June 2007
Arkansas		
Dover, AR	261	219
London, AR	72	39
Ohio		
Bloomington, OH	750	706
Knoxville, OH	403	380
Texas		
Olney, TX	835	712

Attachment C

(July 3, 2006 Public Notice)



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-6
Internet: <http://www.fcc.gov>
TTY: 1-888-835-4

DA 06-1373

July 3, 2006

EAS WAIVER EXTENSIONS GRANTED TO VERY SMALL CABLE SYSTEMS

By this Public Notice, the Enforcement Bureau (Bureau) of the Federal Communications Commission (Commission) extends the waivers of the Emergency Alert System (EAS) requirements under Part 11 of the Commission's Rules, 47 C.F.R. Part 11, previously granted to the small cable television systems listed in Appendices A and B. Specifically, the waivers previously granted to the systems listed in Appendix A and Appendix B are extended until June 30, 2007. Because these previously granted waivers expired on June 30, 2006, we grant them *nunc pro tunc* back to June 30, 2006.

BACKGROUND

In 1994, the Federal Communications Commission (FCC) adopted rules requiring cable systems to participate in EAS,¹ as mandated by section 624(g) of the Communications Act.² In 1997, the Commission amended the EAS rules to provide financial relief for small cable systems by extending the deadline for cable systems serving fewer than 10,000 subscribers to begin complying with the EAS rules until October 1, 2002.³

Subsequently, the Commission set standards under which these small systems could request waivers of the October 1, 2002 deadline.⁴ Over 300 cable systems received such extensions, which were to last one, two, or three years. The last group of extensions was due to expire on October 1, 2005. On September 23,

¹ *Amendment of Part 73, Subpart G, of the Commission's Rules Regarding the Emergency Broadcast System*, Report and Order and Further Notice of Proposed Rulemaking, 10 FCC Rcd 1786 (1994), *reconsideration granted in part, denied in part*, 10 FCC Rcd 11494 (1995) (*First Report and Order*).

² See Cable Television Consumer Protection and Competition Act of 1992, Pub. L. No. 102-385, §16(b), 106 Stat. 1460, 1490 (1992) (Cable Act of 1992). The Cable Act of 1992 required cable system to participate in the EAS by adding subsection (g) to Section 624 of the Communications Act of 1934, 47 U.S.C. § 544(g).

³ *Amendment of Part 73, Subpart G, of the Commission's Rules Regarding the Emergency Broadcast System*, Second Report and Order, FO Docket Nos. 91-171/91-301, 12 FCC Rcd 15503, 15516-18 (1997) (*Second Report and Order*).

⁴ An EAS waiver request must contain the following: justification for the waiver, with reference to the particular rule section for which a waiver is sought; information about the financial status of the entity, such as a balance sheet and income statement for the previous two years; the number of other entities that serve the requesting entity's coverage area and that are expected to install EAS equipment; and the likelihood (such as proximity or frequency) of hazardous risks to the requesting entity's audience. See *Amendment of Part 7, of the Commission's Rules Regarding the Emergency Broadcast System*, Second Report and Order, 12 FCC Rcd 15503 (1997).

2005, the Enforcement Bureau released an Order that extended all existing EAS cable waivers from October 1, 2005 to March 1, 2006.⁵ Subsequently, 56 small cable providers filed requests for further extension of the March 1 deadline for some or all of their systems. In a Public Notice dated March 1, 2006 (*March EAS Public Notice*),⁶ the Bureau extended this deadline from March 1, 2006 to June 30, 2006, to allow the Bureau time to review the financial information filed in support of the waiver requests.

DISCUSSION

EAS provides a critical public safety service to the American public, promoting the safety of life and property through a national alert and warning system. Thus, any waivers of the EAS requirements on financial hardship grounds must be carefully considered and limited to the extent possible. Nonetheless, the Commission has recognized that compliance with these requirements could cause significant economic hardship in the case of very small cable systems. The Commission, therefore, has provided for relief from the EAS requirements in cases where a party can demonstrate that compliance with our rules would impose such significant financial burden. On this basis, we have reviewed the financial and other information submitted by the cable systems that are subject to the Public Notice of March 6, 2006, and conclude that further extensions of the waivers of the EAS obligations set forth in Part 11 of the Commission's rules are warranted for the cable systems listed in Appendices A and B until June 30, 2007.

With respect to the systems listed in Appendix A, in 2002, the Bureau granted Classic Communications, Inc. (Classic) temporary EAS waivers for 559 of its cable television systems.⁷ In February, 2006, Classic filed a request for an extension of the waivers due to financial hardship for 58 of the original 559 systems until March 1, 2009, listed in Appendix A, attached hereto. Classic noted that the vast majority of the systems for which waivers had been granted had either been sold, shut down, or had come into compliance. In April 2006, Classic submitted financial statements in support of its financial hardship request. The Bureau conducted economic analyses of these systems based on Classic's financial information and has determined that compliance with the EAS rules would cause financial hardship to these small systems. Accordingly, we will grant an extension of the waiver for these systems. Because, in our experience, circumstances can change regarding the status of cable systems, as they have for many of the Classic systems for which the waiver was originally granted, we are reluctant to grant the extension to March 1, 2009 as requested by Classic. In light of this, we will grant a one-year extension of the Classic systems listed in Appendix A until June 30, 2007.⁸

The Bureau also received requests for extension of waivers from various cable operators for cable systems listed in Appendix B. These cable operators alleged financial hardship for these cable systems and, in support of their claim, included financial documents and other information. These cable systems represent some of the very smallest cable systems in the country, none of which serves more than 100 customers, and which in the aggregate serve fewer than 17,000 customers nationwide. The majority of these systems request that the Commission extend the waivers until October 1, 2008, or the resolution of the issues raised in the EAS docket.⁹ The Bureau conducted economic hardship analyses of these systems

⁵ *Petitions for Waiver of the Emergency Alert System Rules filed by Various Cable Television Systems*, Order, 20 FCC Rcd 14818 (2005) (2005 Order).

⁶ *EAS Waivers for Certain Small Cable Television Systems Requesting Waiver Extensions Extended to June 30, 2006, Additional Information to Support Certain Pending EAS Waiver Requests Sought by April 15, 2006*, Public Notice, DA-06-483, 21 FCC Rcd 2101, (released March 1, 2006).

⁷ *Classic Communications, Inc.*, Order, DA 02-2446, 17 FCC Rcd at 19350.

⁸ As mentioned above, these waiver extensions are granted *nunc pro tunc* back to June 30, 2006.

⁹ See, e.g. *Carson Communications L.L.C., Request for Extension of Temporary Waivers of EAS Requirement in 47 CFR § 11.1*, filed July 14, 2005, supplemental filing February 24, 2006.

based on the financial information submitted and has determined that compliance with the EAS obligations under Part 11 would cause financial hardship to these small systems, and that a further extension of their waivers is justified. As is the case with the Classic extensions, however, we are reluctant to grant these extensions for more than one year given our experience that circumstances regarding cable systems can change. Accordingly, we extend EAS waivers to the cable television systems listed in Appendix B until June 30, 2007.¹⁰

The cable companies listed in Appendix C also filed for extensions of their EAS waivers based on the alleged continued financial hardship that compliance with the Commission's rules would cause them. The Bureau has conducted a financial analysis of these requests, and has concluded that, except to the extent that any of their individual systems are listed in Appendices A or B, the cable companies listed in Appendix C have failed to show that they would suffer undue financial hardship from complying with the Commission's EAS rules. Accordingly, these requests for extensions of EAS waivers are denied.

Enforcement Bureau Contact: Bonnie Gay (202) 418-1199.

News Media Contact: Janice Wise (202) 418-8165.

-FCC-

¹⁰ As mentioned above, these waiver extensions are granted *nunc pro tunc* back to June 30, 2006.

APPENDIX A

Company Name: Cable Systems

Classic Communications, Inc., d/b/a Cebridge Connections: Atkins, Charleston, Coal Hill, DeWitt, Dover, East Conway, Hazen, Hughes, London and Mt. Ida, AR; Anthony, Ellsworth, Kensington, Lincoln, McDonald, Oberlin, Saint Francis and Sterling, KS; Boyce and St. Joseph, LA; Fayette and Glasgow, MO; Bloomingdale and Knoxville, OH; Fairview, Heavener and Spiro, OK; Albany, Anson, Big Lake, Caldwell, Canadian, Clarendon, Crane, Electra, Grapeland, Hamlin, Hawkins, Henrietta, Junction, Krum, Lost Pines, Lowry Crossing, Lucas, Nocona, Olney, Paducah, Post, Quanah, Rotan, San Saba, Seymour, Shamrock, Sonora, Splendor and Tyler County, TX

APPENDIX B

Company Name: Cable Systems

Beck's Cable: Dix, Donnellson, Kell, Ohlman, Panama, and Rosamond, IL

Blue Mountain TV Cable: Seneca and Dayville, OR

Bocco Cable: Alma, WV

Branch Cable: Crosby and New Hebron, MS

Buford Communications: Cherokee County, TX

Cable Services, Inc.: Kulm, ND

Carson Communications: Axtell, Baileyville, Bern, Centralia, Denison, Effingham, Emmett, Goff, Havensville, Lake Dabinawa, Lakewood Hills, Morill, Muscotah, Onaga, Randolph, Reserve, Summerfield, Vermillion, Wetmore, White Cloud, and Whiting, KS

Cass Cable TV: Kampsville and Milton, IL

CenCom, Inc.: Dixon and Wyrot, NE

Cequel III Communications d/b/a Cebridge Connections: Auburn Falley, CA; Canyon, Culdesac, Harrison, Murray, and Riggins, ID; Westport, OR; Almira, Chinook Pass, Malaga, Royal City and Wilson Creek, WA

Charter Communications: Chamois, Cairo, Adair, Colcord, and Kellyville, OK; Enfield, IL; Tignal, GA; Annapolis, MO; Fleming, NE; Bradfordsville, KY; Lockwood, NV; Rockville, UT; Tryon, Depew, Cromwell, Wyandotte, and Hulbert, OK; Talmage, NE; Tangipahoa, LA; Osyka, MS; Mason City, NE; Ashe, NC; Dannebrog, NE; Agra, and Carney, OK; Kosse, TX; Dustin, Kansas, Glencoe and Cameron, OK; Locust Fork, AL; Washtucna and Prescott, WA; Texline, TX; Powers, OR; Los Alamos Town, CA; High Rolls, NM; Beattie, KS; Hartwell Villas, OR; New Meadows, ID; Halfway, OR; Skyline, AL; Bryantsville, KY; Ralston, OK; Combine, TX; Angellus Oaks, CA; and Schulter, OK

Classic Communications, d/b/a Cebridge Connections: East Conway, Hector, London, Geneseo, Luray, Natoma, Sylvan Grove, and Tipton, KS

Consolidated Cable: Ashton, Big Springs, Comstock, Farnam, Lewellen, and Maxwell, NE

DuCom Cable T.V.: Kirby, New Freeport, Nineveh, Sycamore and Wind Ridge, PA

Glass Antenna Systems: Town of Fillmore, IN

Glenwood Telecom: Guide Rock and Lochland, NE

Goldfield Communications Services: Badger Woolstock, IA

Green Hills Multi-Media: Tina, MO

Grove Communications: Seney, MO

Hamilton County Cable: Blue Mt. Lake, NY

Herr Cable: Lairdsville, PA

Hyde County Cablevision: Engelhard and Swanquarter, NC

James Cable: Cleburne County, AL; Crawfordville and Pinehurst, GA; Stringtown, Wampanucka, and Sand Point, OK

Karban TV Systems: Land O'Lakes, WI

Lone Pine Television: Alabama Hills, CA

Millennium Digital Media: Thorpe, Creston, Marblemont, Entiat and Mansfield, WA; Vermontville, MI

Milestone Communications: Huntersville and Cass, WV

Neu Ventures d/b/a Mountain TV Zone: Valentine, TX

Nex-Tech, Inc.: Burr Oak, Kirwin and Lebanon, KS

North American Communications: Big Falls, Big Fork, Dexter, Easton, Fountain, Garden City, Hayward, New Market Twp, Mapleview, Lewisville, New Auburn, Ostrander, Plato, Racine, Red Rock Twp, Rose Creek and Vernon Center, MN

Northland Communications: Meservey and Thornton, IA

Nova Cablevision: Cameron, Little York and Trivoli, IL

PEC Cable: Nichols, IA

Pine Rural TV Cable: Haworth, OK

Pinpoint Communications: Bartley, Culbertson, Orleans, Republican City, and Stamford, NE

Prairieburg Telephone Co.: Prairieburg, IA

Project Services, Inc.: Hanley Falls, MN

US Cable of Coastal-Texas: Hudson and Keenesburg, CO; Brewster, Ceylon, Dannel, Granada, Northrop, Round Lake, and Storden, Dixon, NM

APPENDIX C

Atlantic Broadband Finance
Bocco Cable
Boycom Cablevision
Bradley Communications
Buford Communications, d/b/a Alliance Comm. Network
Cable Communications of Willsbobro
Cable Services, Inc.
Carson Communications
CCS. d/b/a Community Cable
Cebridge Connections
CenCom, Inc.
Cequell III Comm, d/b/a Cebridge Connections
Charter Communications
Com-Link, Inc.
Consolidated Cable
Curtis Cable TV
Glass Antenna Systems
Glenwood Telecomn
Golden West Cablevision
Goldfield Comm. Services
Great Plains Cable Television, Inc.
Green Hills Multi-Media
Grove Communications
Hamilton County Cable
Hart Cable, Inc.
Hawkeye Telephone Co.
Howard Cable
Hubbal Co-Op Cable
Ind. Cable Co
J&N Cable Systems
James Cable
Karban TV Systems
Livermore Cable
Lone Pine Television
LongView Cable & Data
Lycom Communications
Martelle Cooperative Telephone Association
Milestone Communications
Milford Cable TV
Millennium Digital Media
Minerva Valley Cablevision
Moosehead Enterprises
Neu Ventures, d/b/a Mountain TV Zone
New Century Comm.
NewWave Comm.
Nex-Tech, Inc.
North State Cablevision
Northland Cable Properties
Nova Cablevision
Oak Grove Heights Cable
Oldtown Community Systems

Pinpoint Communications
Polaris Cable
Prairieburg Telephone Co.
Project Services, Inc.
RGA Cable
Rio Cablevision
Ritter Cable Corp.
Tip Top Communications
Tri-County Telephone Company, Inc.
Trust of Mississippi
Upper Peninsula Comm.
US Cable of Coastal-Texas
Waterville Cable
Whitehall Cable TV

Attachment D

(Financial Information for Classic Communications, Inc.)

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